

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 10, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

DENNA NICK, an individual,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a
Delaware Corporation,

Defendant.

No. 2:22-CV-00216-MKD

ORDER ON JOINT MOTION FOR
DISMISSAL WITH PREJUDICE

ECF No. 25

Before the Court is the parties' Joint Motion for Dismissal with Prejudice, ECF No. 25. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. The parties stipulate and agree to the dismissal of this action in its entirety with prejudice, each party to bear their own attorney's fees and costs. The stipulation is signed by all parties who have appeared.

Accordingly, **IT IS ORDERED:**

1. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims are **DISMISSED with prejudice**, without an award of fees or costs.

1 2. Any pending motions are **DENIED as moot**.

2 3. All hearings and other deadlines are **STRICKEN**.

3 **IT IS SO ORDERED.** The District Court Executive is directed to file this
4 Order, provide copies to counsel, and **CLOSE** the file.

5 DATED April 10, 2023.

6 s/Mary K. Dimke
7 MARY K. DIMKE
8 UNITED STATES DISTRICT JUDGE
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